THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12701 of 1997

ORAL ORDER:

This writ petition is filed seeking Mandamus directing the respondents to regularize the services of the petitioner as per G.O.Ms.No.330 dated 24.9.1994.

It appears, petitioner was appointed as Jeep Driver against a clear vacancy in Panchayat Raj Department in Nellore district. Initially, he was appointed on daily wage basis with effect from 1.5.1990. He worked at Vinjamur Panchayat Raj Division from 1.5.1990 to 9.11.1996 and on 9.11.1996 he was transferred from Vinjamur to Atmakur Panchayat Raj (RWS) Division. Thus, the petitioner has put in seven years of service, therefore, he is entitled for being considered for regularization of his services as per G.O.Ms.No.212 dated 22.4.1994. The petitioner made several representations seeking regularization of his services and to put him on regular timescale. Previously, his representation was rejected on the ground that there was no clear vacancy. However, on 24.9.1994 Government of A.P. issued G.O.Ms.No.330 whereunder instructions have been issued to all the departments with regard to regularization of services and directing the departments that if there are no clear vacancies where the NMRs are become eligible for regularization as per G.O.Ms.No.212 dated 22.4.1994 to absorb them even in lower posts if they express their willingness. The petitioner expressed his willingness to be absorbed in the lower post and made representation to that effect, but there was no response from the authorities. Hence this writ petition.

No counter is filed.

This Court while admitting the writ petition, by interim order dated 30.9.1997, directed the respondents to consider the case of the petitioner for payment of regular time scale on par with regular employees pending

further orders. Now it is more than 10 years since the interim order is passed and the petitioner is being continued.

In view of the above, without expressing any opinion on merits, the respondents are directed to consider the case of the petitioners for regularization of his services in any suitable post as per G.O.Ms.No.212 dated 22.4.1994 read with G.O.Ms.No.330 dated 24.9.1994 within a period of six months from the date of receipt of a copy of this order after putting the petitioner on notice. Till such time, the services of the petitoner shall not be disturbed.

The writ petition is accordingly disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 14.2.2007

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W.P.No.12701 of 1997

14.2.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12701 of 1997

Date: 14th February, 2006

Between:

K.Mohan Rao

.. Petitioner

And

The Chief Engineer,
Panchayat Raj Division & others.

.. Respondents